Testimony – Kansas Judiciary Committee on Child Support and Child Custody Oversight

Speaker: [redacted]

Subject: Systemic Failure of Oversight and Due Process in Shawnee County Family Court

Chair and Members of the Committee,

My name is [redacted] and I am the mother of [redacted] My children were Kansas residents their entire lives, living primarily with me, until they were removed from this state on allegations that were quickly determined unsubstantiated. That was three years ago. That moment did not begin a custody dispute—it revealed a complete collapse of oversight and due process in our state's family courts.

This case began in Pottawatomie County under IV-D child-support jurisdiction, carrying both state and federal oversight through DCF and the U.S. Office of Child Support Enforcement. For nearly a decade, the same judge presided—he knew the history, the evidence, and my children. That stability mattered.

But when the case was transferred to Shawnee County in 2021, that oversight vanished. It was re-registered as a non-IV-D Trustees case—with no notice, no hearing, and no explanation. My children were removed before I ever set foot in that courtroom. That's not due process—that's deprivation of rights under color of authority. Motions I filed have sat unheard for several months, in violation of Supreme Court Rule 170. Orders appeared without pleadings. An agreement was filed with an unauthorized electronic signature my attorney explicitly declined to approve. Hearings were held with no certified recordings. Orders were signed for hearing dates that do not exist, and transcripts cannot be located. And my children were ordered to a therapist not licensed by the Behavioral Sciences Board. I objected in writing and in open court—the order stood. As a state-licensed insurance professional, I am legally bound to report fraud—yet I was compelled to participate in it.

I did not go quiet. I engaged DCF, the Office of the Child Advocate, the county Trustees, ADR, and case management. I submitted evidence, received confirmations—and then watched records altered after submission and dockets that no longer matched what what reflects on the record. I have reported over one hundred incidents of non-compliance since 2024, as documented to case management. Still, no enforcement.

Committee, this is not just my story. Families across Kansas are being pushed into poverty through fees and duplicative processes; cases are paralyzed by missing records and agency

silos; and parents who report misconduct face retaliation, not relief. Oversight is supposed to protect children—not disappear when a case crosses administrative lines or a judge rotates. In my case, the court-appointed Guardian ad Litem refused to review evidence, disregarded reports from licensed professionals, and filed recommendations that contradicted documented facts. When I challenged those actions, I wasn't protected—I was punished. The very people responsible for certifying ethics programs for court professionals are the same ones blocking licensed clinicians from submitting evidence.

That is not ethics—that is institutional blindness, and it leaves Kansas families defenseless. Not only is this a family-court crisis—this is a civil-rights crisis. When hearings go unrecorded, when signatures are falsified, when records are altered, and when oversight agencies look away—the Constitution doesn't stop at the courthouse door. It fails there.

I respectfully ask this Committee to act:

• Audit all cases moved from IV-D to Trustees administration and reconcile orders to pleadings.
• Establish an independent oversight board for GALs, ADRs, and case managers with public accountability.
• Implement immutable audit trails and mandatory audio recordings of every hearing.
• Protect parents and licensed professionals who report unlicensed practice or record tampering.

As I stand here today, my children still lack the court-ordered therapy that could help them heal.Oversight is not retaliation; oversight is protection. Please open the books, reconcile the records, and give Kansas families a system worthy of our children.

Thank you.

PT Case # 2012-DM-000242
SN Case # 2021-DM-001945

SNCO KS DISTRICT COURT
2025 AUG 13 PM2:44:48

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
THIRD JUDICIAL DISTRICT

In the Matter of the Marriage of:

[redacted]

and **Case No. 2021-DM-1945**

[redacted]

MOTION TO SET ASIDE OR VACATE JOURNAL ENTRY AND ATTORNEY FEES ORDER PURSUANT TO K.S.A. 60-260(b) AND DUE PROCESS GROUNDS

COMES NOW the Petitioner, [redacted] pro se, and pursuant to K.S.A. 60-260, respectfully moves this Court for relief from the journal entry issued on August 13, 2024, and an additional order dated August 4, 2024, concerning attorney fees. This motion incorporates all original due process allegations and details from the draft dated December 19, 2024 (which was not filed, but shared with Case Manager Julia Butler for permission to file; Petitioner was directed to her attorney, who redirected back to Julia for resolution), while including updated evidence and clarifications, such as administrative confirmation of procedural irregularities, absence of an agreement, and allegations of fraud upon the court by Respondent and his counsel, Sarah Snyder. All original exhibits are attached and referenced herein. In support of this motion, Petitioner states as follows:

Procedural Background

1.1 On August 13, 2024, the Court issued a journal entry, which was mailed, emailed, hand-delivered, or placed in the pickup bin on August 8, 2024 (Certificate of Service). The emergency motion filed on August 5, 2024, involved matters that Petitioner had been addressing through counsel in May 2024 and with Case Manager Julia Butler on July 23, 2024, and in an

in-person meeting on August 8, 2024. The parties were previously ordered on December 28, 2023, that all matters should go through Case Manager Julia Butler. However, the Case Manager was unaware of the motion filed by Ms. Snyder, as reflected in the transcript, due to failure to properly file the Case Management Order. Petitioner did not become aware of the Journal Entry October 2, 2024, when it was provided by the Case Manager.

1.2 The Respondent posted a copy of the journal entry on AppClose on September 18, 2024, but the order was unsigned. Neither Petitioner nor her counsel received a signed order, and the administration office is unaware of how Ms. Snyder and the Respondent obtained the unsigned Journal Entry. Additionally, the Final School Calendar, which was necessary for negotiating the parenting plan, was not finalized and made available until August 18, 2024, nine days after the phone conference and journal entry were issued.

1.3 The Journal Entry's Certificate of Mailing was on the 8th of August, 2024, which was issued prior to the scheduled phone conference on August 9, 2024, and no hearing was held, no evidence was presented, and no opportunity was provided for Petitioner to participate in the proceedings. Administrative records, including correspondence with transcriptionist Jenny Hanna on May 13–14, 2025, later confirmed this was an unrecorded counsel-only conference between attorneys and the judge, described as an "agreement," which Petitioner and her counsel (Rebekah Phelps-Davis) dispute as never occurring. Both were surprised and confused upon receiving the signed journal entry from Julia Butler on October 2, 2024. The unsigned version posted by Respondent on AppClose added further confusion regarding its legitimacy and origin, as it did not reflect the meeting notes on file.

1.4 Further complicating matters, Petitioner discovered an Order for a hearing dated Sunday, August 4, 2024, awarding attorney fees to Respondent—issued before the ex parte motion was even filed on August 5, 2024. No record, hearing, or notice exists for this order, suggesting procedural error or deception. The Petitioner only recently discovered this order after going pro se. Neither her prior attorney nor the Petitioner was listed on the order.

1.5 Chronology of Events (Incorporating Original and New Details)

2023

- **May 2023 (Summer Withholding):** Respondent attempted withholding the children during summer break when school commenced, despite a court order clearly stating Petitioner was to have the children for the entire summer, except one week in June and one week in July including long weekends when children were out of school. Petitioner's previous attorney, Allison Hibler, intervened, addressing contempt of court due to the father's refusal to return the children. Sarah Snyder left a voicemail (transcribed) admitting she was wrong and stating she would ask her client to return the children. Respondent had unilaterally planned events for the children during this time, resulting in manipulation and confusion; Petitioner picked up angry and mixed up children and worked to repair the damage, being orchestrated by Respondent.
- **August 10, 2023:** Hearing held for Motion to Modify Residency and Parenting Time. The hearing was to address a 20-page motion; it was not a hearing based on Petitioner refusing to return the children, as later misrepresented in the ex parte filing. Sarah Snyder knew the current order stated the children were to remain with Petitioner until school started, as that was deemed in the children's best interest. She was reminded of this conduct just 3 months prior, as Petitioners counsel had to provide her.

- **December 28, 2023:** Court hearing (transcript available) where Sarah Snyder was assigned to prepare the orders. The Guardian ad Litem (GAL) refused to allow Petitioner to drop off hundreds of pages of evidence and refused to permit Rebekah Phelps-Davis to submit evidence for a motion. The GAL's recommendation was adopted temporarily, but it never recommended a reduction in Petitioner's parenting time. The purpose of the summer schedule clarification was to prevent further withholding in May 2024 when the school year ended.
- **December 29, 2023:** A Case Management agreement was executed for Julia Butler to take over due to the GAL's refusals (as shown in transcripts). If Sarah Snyder failed to file the case management paperwork properly, delaying oversight and therapy updates, sanctions should apply to her.

2024

- **January 17, 2024:** Petitioner followed up confirming that Julia Butler was taking over as Case Manager.
- **February 2024:** An alleged hearing occurred (no specific date recorded), resulting in an order received by Petitioner on May 7, 2024, requiring submission of a parenting plan by May 1, 2024—a date that had already passed. No transcript exists for any hearing in February. The order was authored by Sarah Snyder.
- **April 25, 2024:** Respondent sent blank attachments via AppClose for a proposed schedule. No response was made due to their invalidity. No agreement was reached.
- **May 7, 2024:** Petitioner received the undated February order—with a retroactive deadline.

- **May 13, 2024:** The school website was still showing the 2022–2023 academic calendar, as confirmed by school counselor Jennifer. The 2023–2024 school calendar was not released by May 1 or May 13, 2024. The final approved version by Dan Kennedy (school principal) was completed and published on August 18, 2024—after the August 9 hearing.
- **May 16–31, 2024:** Respondent withheld the children for 15 days, refusing to appear at the police station for exchange, delaying court-ordered therapy.
- **May–July 2024 (Ongoing):** No agreement reached on AppClose. Attorneys were involved. Petitioner emailed her attorney repeatedly regarding why the Case Manager was not handling matters (as ordered). Delays led to Petitioner making direct contact with Julia Butler on July 11, 2024. Respondent's conduct triangulated the children, creating confusion and distress.
- **July 15, 2024:** Respondent did not appear for the child exchange at the end of his parenting week in Marysville.
- **July 23, 2024:** First (phone) meeting with Julia Butler at Rebekah Phelps-Davis's office. Summer schedule and next year's plan were discussed as the immediate issues that needed to be addressed. No agreement existed (confirmed on AppClose). Julia was informed of Respondent's withholding and threats of court action. Petitioner made clear that she was awaiting Julia's decision under the Case Management Order.
- **August 1, 2024:** Petitioner responds to counsel Rebekah-Phelps Davis, clarified "I have not told the children they were going back the night before school" that I was planning to keep the children until Sunday night August 11th which was in line with what we did in 2023 and reflected the current order including the long weekends.

- Due to trauma and interruptions affecting both Petitioner and the children, Petitioner sought YWCA support for coercive control, threats, and alienation tactics used by the Respondent. Supporting evidence, including the GAL's refusal, was submitted. Therapist recommendations were sent to the YWCA.
- **August 4, 2024 (Sunday):** An order was discovered in April 2025, awarding attorney fees to Respondent. This order was issued before any motion had been filed or hearing held, suggesting procedural impropriety.
- **August 5, 2024:** Sarah Snyder filed an ex parte motion, bypassing Case Manager Julia Butler, who had been formally assigned on January 1, 2024. The motion misrepresented facts and alleged agreements that did not exist. It curtailed Petitioner's parenting time by 31 days and disrupted Topeka therapy. The motion misrepresented 2023 events and falsely claimed Petitioner had withheld the children, despite Snyder's previous voicemail admitting she had been mistaken. Snyder has repeatedly used DARVO (Deny, Attack, Reverse Victim and Offender) tactics, manipulated language in orders, and misled the court.
- **August 6, 2024:** Julia Butler received updates regarding court-ordered therapy.
- **August 8, 2024:** Second meeting with Julia Butler (advocate present). Julia was unaware of the ex parte motion. Petitioner provided evidence of false statements made and showed Julia where language in the emergency motion had been changed to read "which is" in a way that falsely implied Petitioner was in contempt. The petitioner provided her orders and filings along with necessary paperwork needed to address this matter.

- **August 9, 2024:** An unrecorded phone conference occurred. The Petitioner was excluded, and no evidence was presented. She had requested an evidentiary hearing but was told to route evidence through Julia Butler per the existing Case Management Order.
- **August 9–September 2024:** Petitioner continued cooperating with the Case Manager and submitted evidence to address the filing.
- **October 2, 2024:** Petitioner received the signed journal entry from Julia Butler. The entry did not reflect court notes or communications involving Rebekah Phelps-Davis. Petitioner had not been aware of a journal entry released on August 8, 2024, for a call scheduled August 9.
- **December 19, 2024:** Petitioner prepared a draft motion but did not file it. It was sent to Julia Butler for permission. Julia directed her to her attorney, who redirected her back to Julia. Julia later advised this matter predated her and must be resolved with the court.

2. Grounds for Relief

2.1 Lack of Due Process:

The issuance of the journal entry prior to the scheduled phone conference violated Petitioner's due process rights under both state and federal law. Petitioner was not afforded an opportunity to present evidence or argument, nor was a hearing held as required. This exclusion from the August 9, 2024 conference, the absence of notice for the February 2024 hearing, and the undisclosed August 4, 2024 attorney fees order deprived Petitioner of the fundamental right to be heard in matters affecting parenting time—rights guaranteed under K.S.A. 23-3218, K.S.A. 60-260(b), and the 14th Amendment of the U.S. Constitution.

- *See Mathews v. Eldridge, 424 U.S. 319 (1976) (Due process requires notice and a meaningful opportunity to be heard before deprivation of protected interests).*
- *See also In re L.M., 286 Kan. 460 (2008) (Kansas courts recognize fundamental fairness as a hallmark of due process).*

2.2 Irregularity in Proceedings:

The journal entry was issued prematurely, prior to the scheduled conference, and does not reflect actual proceedings. The August 4, 2024 attorney fees order was issued before any motion was filed, further suggesting procedural irregularities. The existence of unsigned versions, Julia Butler's lack of awareness, and Respondent's posting of unapproved/unsigned orders all raise serious concerns.

2.3 Lack of Record:

No transcript exists for the August 9, 2024 phone conference, the alleged February 2024 hearing, or the August 4, 2024 attorney fee order, as confirmed by transcriptionist Jenny Hanna. This lack of official record violates K.S.A. 60-260(b) and undermines the enforceability of such orders.

2.4 Mistake, Inadvertence, or Error:

The journal entry was entered in error, without a record or valid agreement. Petitioner and her counsel had no knowledge of the resulting order. Compliance with the May 1 parenting plan deadline was impossible since the 2023–2024 school calendar was not available until August 18, 2024. These constitute mistakes and excusable neglect under K.S.A. 60-260(b)(1).

2.5 Fraud Upon the Court:

Sarah Snyder knowingly misrepresented facts in the August 5, 2024 ex parte motion, claiming the existence and adoption of a parenting plan (which entailed Respondent withholding children an additional 31 days) that did not exist. She failed to disclose her prior 2023 voicemail admitting error. Her filings consistently omitted critical evidence, presented false narratives, and circumvented Case Manager oversight.

- *See Tice v. Tice, 234 Kan. 872 (1984) (Fraud upon the court justifies setting aside a judgment under K.S.A. 60-260).*
- *See King v. King, 313 Kan. 824 (2021) (Abuse of discretion includes failure to consider controlling facts)*

2.5.1 Ethical Violations by Sarah Snyder:

As an officer of the court, Sarah Snyder had a duty of candor under the Kansas Rules of Professional Conduct (KRPC). Her conduct violates the following:

- KRPC 3.3(a)(1): Knowingly making a false statement of fact or law to a tribunal;
- KRPC 4.1(a): Making false statements of material fact to third parties;
- KRPC 8.4(c): Engaging in dishonesty, fraud, deceit, or misrepresentation;
- KRPC 1.1 and 3.2: Failing to properly file case management orders, delay of proceedings, and noncompliance with orders;
- Falsifying order language (e.g., adding "which is") to frame Petitioner for contempt.
- These ethical breaches support not only sanctions but also vacating the improperly obtained orders as a matter of judicial integrity.

3. Legal Basis

3.1 Statutory Authority:

Under K.S.A. 60-260(b), the Court may relieve a party from a final judgment, order, or proceeding for the following reasons:

- Mistake, inadvertence, surprise, or excusable neglect;
- Newly discovered evidence;
- Fraud (whether intentional or not), misrepresentation, or other misconduct of an adverse party;
- The judgment is void; or
- Any other reason justifying relief from the operation of the judgment.

Petitioner invokes subsections (1), (3), and (6) based on the facts described above.

3.2 Case Law Support:

- *Tice v. Tice, 234 Kan. 872 (1984): The Kansas Supreme Court confirmed that fraud upon the court—including deception by counsel—can warrant vacating a judgment under K.S.A. 60-260(b)(3).*
- *State ex rel. Secretary of SRS v. Stieb, 22 Kan. App. 2d 674 (1996): Emphasized that a party is entitled to a fair hearing and meaningful participation before entry of adverse orders.*
- *Mathews v. Eldridge, 424 U.S. 319 (1976): Due process under the 14th Amendment requires notice and opportunity to be heard before governmental deprivation of life, liberty, or property.*
- *King v. King, 313 Kan. 824 (2021): Courts abuse discretion when they fail to consider relevant evidence or applicable law.*
- *In re L.M., 286 Kan. 460 (2008): Due process in family law proceedings must be "fundamentally fair."*

These authorities, when combined with the statutory standard under K.S.A. 60-260(b), warrant relief in this matter.

4. Request for Relief

WHEREFORE, Petitioner respectfully requests that the Court:

1. Vacate and set aside the journal entry issued on August 13, 2024, and the attorney fees order dated August 4, 2024;
2. Enforce the requirement that all matters proceed through the assigned case manager, Julia Butler, in accordance with the December 29, 2023 Case Management Agreement;
3. Schedule a hearing to allow the parties to present evidence and arguments on the record;
4. Order preparation and preservation of transcripts for all future proceedings;
5. Impose sanctions on Sarah Snyder for ethical violations, including:
    - Misrepresentations in ex parte filings,
    - Misleading language inserted into orders,
    - Circumvention of court-ordered case management procedures,
    - Reimbursement of Petitioner's attorney fees and costs caused by misconduct;
6. Grant any other relief the Court deems just and proper in the interest of fairness, procedural integrity, and the best interests of the minor children.

Dated: August 13, 2025

Respectfully submitted,

[redacted]

Pro Se Petitioner

[redacted]

[redacted]

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SNCO KS DISTRICT COURT
2025 AUG 20 PM 4:15:42

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
DIVISION 10

[redacted]
Petitioner
v.
[redacted]
Respondent

Case No. 2021-DM-1945

AFFIDAVIT OF [redacted]

In Support of Motion to Set Aside or Vacate Journal Entry and Attorney Fees Order (K.S.A. 60-260(b))

I, [redacted] being first duly sworn, state as follows:

A. Identity and Personal Knowledge

1. I am the Petitioner in the above-captioned matter. I am over 18, of sound mind, and competent to testify. The facts stated here are based on my personal knowledge, my direct communications, and records kept in the ordinary course (including AppClose, emails, court correspondence, therapy records, and school communications).

2. If called to testify, I could and would testify competently to the facts in this Affidavit. True and correct copies of documents I reference are attached to my motion as exhibits and are incorporated by reference herein.

B. 2023 Background

3. **On May 2023,** Respondent attempted to withhold the children during summer break despite a court order stating I was to have the children for the **entire summer except one week in June and one week in July, including long weekends when school was not in session**. My then-attorney, Allison Hibler, intervened regarding Respondent's refusal to return the children. Shortly thereafter, Respondent's counsel Sarah Snyder left a voicemail admitting she was wrong and would ask her client to return the children **(Exhibit R, voicemail + transcript).**

4. **On August 10, 2023,** the Court held a hearing on Motion to Modify Residency and Parenting Time concerning my 20-page motion—not a withholding issue as later

suggested in ex parte filings. My understanding from the hearing transcript notes is that the existing order was the children remaining with me until school resumed, which was decided temporarily they returned the weekend before school started at that hearing.**(Exhibit N, 8/10/2023 case notes)**.

5. **On December 28, 2023**, the Court conducted a hearing. Ms. Snyder was assigned to prepare orders. The GAL refused to accept hundreds of pages of evidence and refused to permit my attorney Rebekah Phelps-Davis to submit materials. The GAL's recommendations were adopted on a temporary basis but did not recommend a reduction in my parenting time **(Exhibit S, 12/28/2023 transcript).** Rebekah Phelps-Davis became aware right after that hearing during our meeting that I had consulted with Bud Dale 9 months prior to the GAL appointment which took place in his office on **October 24, 2022 at 2pm-4pm.** Reviewed several documents during the transfer of this case. As I considered hiring him to take over as my attorney. I learned that was a conflict. Was advised Case Management replacement needed to happen after learning this information.

6. On **December 29, 2023,** a Case Management Agreement was agreed upon and to be executed, assigning Julia Butler as Case Manager for our case needed to happen. **(Exhibit I).**

C. Early 2024: Orders and Missing Records

7. **On January 17, 2024,** I followed up confirming that Julia Butler would take over case management consistent with the Court's direction **(Exhibit I,** emails re: case manager).

8. **In February 2024,** I was not notified of any recorded hearing; however, I later received an **undated order** on **May 7, 2024,** requiring submission of a parenting plan by **May 1, 2024**—a deadline already passed. I have no transcript for any February proceeding. The order was prepared by Ms. Snyder **(Exhibit M, order received 5/7/2024).**

9. On **April 25 & 26, 2024,** Respondent sent blank attachments through AppClose purporting to be a proposed schedule; no agreement was reached **(Exhibit H,** AppClose screenshots).

D. School Calendar & Compliance Issues

10. **On May 7, 2024,** I received the **undated February** order with the retroactive deadline **(Exhibit M).**

11. **On May 13, 2024,** the school website still showed the **2022–2023** academic calendar. School counselor Jennifer confirmed the **2024–2025** calendar was not released or available by **May 1 or May 13 (Exhibit O,** counselor confirmation).

12. **On August 7, 2024,** learned school did not even have my address, had to provide it.

13. The final school calendar for **2024–2025** received final approval on **August 18, 2024** by Dan Kennedy (principal/creator). It was not publicly finalized or posted before that date **(Exhibit P, confirmation of final approval).**

14. Because the calendar was not available until **August 18, 2024,** I could not submit an accurate parenting plan by the earlier **May 1** deadline.

15. **September 19, 2024** requests to school to regain my PowerSchool Access-learned school switched messaging systems. Which is why I did not have access.

16. **October 1, 2024,** Jennifer Porter provided me login information. "Since we split with Sandy Creek we actually have a different site within PowerSchool. Let me know if your still having trouble getting in."-Jennifer.porter@lnraiders.org

17. **October 14, 2024,** after gaining school access discovered Calendars were approved and final on **August 16, 2024** (created and modified by principal Dan Kennedy)

18. **November 6, 2024, Confirmation email via** Jennifer.porter@lnrainers.org Calendar was not posted by **May 1st, 2024.** Confirming the did start a new webpage so it may not have been updated until we started the new website.

E. Withholding and Family Disruptions (Spring–Summer 2024)

19. **May 16–31, 2024,** Respondent withheld the children for **15** days and refused police station exchange, delaying court-ordered therapy **(Exhibit K, Appclose records).**

20. **Between May–July 2024,** I raised in AppClose and with counsel why case manager Julia Butler was not handling matters as ordered. I emailed counsel repeatedly about case manager oversight **(Exhibit I,** emails).

21. **On July 15, 2024,** Respondent did not show up in Marysville to return the children at the end of his 1 week of parenting time.

22. **On July 23, 2024,** I met with Case Manager Julia Butler at the office of Rebekah Phelps-Davis to discuss summer schedules and the upcoming school-year parenting plan. We did not have an agreement (as reflected in AppClose). Julia was told of Respondent's withholding, his July 31 return demand, threats of court action, and delays in therapy **(Exhibit L,** meeting summaries; **Exhibit H,** AppClose screenshots).

23. **On August 1, 2024,** I confirmed via email with my attorney my intent to return the children on the evening of Sunday, **August 11, 2024,** consistent with prior court-approved adjustments (weekend return approx. one week before school started) and consistent with existing orders. **(Exhibit V,** email response to Rebekah)

24. **Also on August 1, 2024,** given escalating disruption, I sought support from the YWCA for coercive control, threats, and alienation concerns. I provided supporting materials including references to the GAL refusals allowing evidence submission. Therapist recommendations were provided to YWCA **(Exhibit J, YWCA notes & therapist recommendations).**

F. August 2024: Ex Parte Filing and Orders

25. **Sunday, August 4, 2024:** I later discovered that an attorney fees order issued date—before any ex parte motion had been filed. I was not served with notice, and I am not aware of any record or hearing for that order. I learned of this order after I became pro se in 2025 **(Exhibit D, 8/4/2024 fees order).**

26. **August 5, 2024:** Ms. Snyder filed an ex parte motion alleging an emergency and claiming agreements that did not exist and seeking to curtail my parenting time by approximately **31 days,** interfering with Topeka therapy. The filing bypassed case manager Julia Butler, contrary to the case management process **(Exhibit C,** ex parte motion).

27. **August 6, 2024:** Julia Butler received therapy updates pursuant to court transcripts.

28. **August 8, 2024:** I had a second meeting with Julia Butler (with an advocate present). Julia stated she was unaware of the ex parte filing. I showed Julia evidence of inaccuracies, including order language altered by Ms. Snyder by adding the phrase **"which is,"** creating the appearance of contempt **(Exhibit L, meeting summaries; Exhibit C, motion/order language).**

29. **August 9, 2024:** A phone conference occurred between the judge and counsel only. I was not allowed to participate as it was only a phone call; no evidence was allowed to be

presented by me; and no recording exists. I requested an evidentiary hearing but was advised to submit evidence to the case manager to handle **(Exhibit N** notes on the call).

30. **August 13, 2024:** A Journal Entry issued. I did not receive a signed order until **October 2, 2024,** when Julia Butler provided it to me **(Exhibit A,** signed journal entry).

31. **August 18, 2024:** The final school calendar was approved and posted **(Exhibit P),** which was **nine days after the August 9** counsel-only conference and after the **Journal Entry** issuance.

32. **September 18, 2024:** Respondent posted an unsigned version of the journal entry on **AppClose**. The administration office did not know how Ms. Snyder and Respondent possessed the unsigned version **(Exhibit B,** unsigned JE posted on AppClose).

G. Late 2024 and 2025: Discovery and Confirmation of Missing Records

33. **October 2, 2024:** I first received the **signed Journal Entry via Case Manager Julia Butler (Exhibit A).**

34. **December 19, 2024:** I drafted (but did **not** file) a comprehensive motion and sent it to Julia Butler for permission to file; I was directed back and forth between counsel and the case manager to deal with. **(Exhibit Q,** draft motion).

35. **April 2025:** I discovered the **August 4, 2024 attorney fees order** had been entered prior to the ex parte motion **(Exhibit D).**

36. **May 10–14, 2025:** Emails with transcriptionist **Jenny Hanna** confirmed there is **no transcript** for the **February 2024 hearing,** no transcript for the **August 9, 2024 call,** and that the August 9 event was an **unrecorded counsel-only** conference described as an "agreement." I never agreed
to any such terms **(Exhibit E, email exchange & confirmation).**

H. Accuracy of Records and Exhibits

32. AppClose records reflect the lack of agreement, the blank attachments sent by Respondent on **April 25, 2024,** and the **September 18, 2024** posting of an unsigned journal entry **(Exhibit H).**

33. My handwritten notes taken during and after communications regarding the **August 9, 2024** call reflect my understanding that I was not permitted to participate and that the conference was unrecorded **(Exhibit G).**

34. The Case Manager summaries (**Exhibit L**), emails with counsel (**Exhibit I**), and the **August 10, 2023** case notes (**Exhibit N**) corroborate that there was no agreement to curtail my parenting time by 31 days, and that the **2023-2024** orders never intended a reduction of my time.

35. The school calendar documents and confirmations (**Exhibits O & P**) show that a **May 1** deadline for a **2024-2025** parenting plan was impossible to meet because the final calendar did not exist until **August 18, 2024.**

I. Summary

36. I did not receive notice of, or an opportunity to participate in, the **August 9, 2024** counsel-only phone conference; there is no transcript.

37. I did not receive timely service of a signed order generated from that conference and did not receive the signed Journal Entry until **October 2, 2024.**

38. The **August 4, 2024** attorney fees hearing order predates the **August 5th, 2024** ex parte filing and appears to have been entered without notice, hearing, or record.

39. I have incurred lost parenting time due to Respondent's withholding in **May 2024** and **July 2024**, and due to the process irregularities described above. I respectfully seek make-up time as detailed in my motion.

I declare under oath that the foregoing is true and correct to the best of my knowledge.

DATED: Aug 20th **, 2025**

[redacted]

Affiant 2626 SE

[redacted]

ATTACHED EXHIBITS

- Exhibit A: Original Journal Entry, Sarah Snyder to execute-Case Management Order (August 13, 2024)
- Exhibit B: Unsigned Journal Entry Posted on AppClose, (September 18, 2024)
- Exhibit C: Emergency Motion Filed by Sarah Snyder (August 5, 2024)
- Exhibit D: Attorney Fees Hearing Order (August 4, 2024)
- Exhibit E: Email Exchange with Jenny Hanna (May 10–14, 2025, confirming no transcript and "agreement" description)
- Exhibit F: 2023–2024 School District Calendar (IMG_4784.jpeg, showing release pattern)
- Exhibit G: Case Management Order-Prepared by Rebekah Phelps-Davis (August 20, 2024)
- Exhibit H: AppClose Screenshots (Blank Attachments April 25/26, 2024; May 13/16, 2024,July 14, 2024, August 1, 2024Denials and No Agreement)
- Exhibit I: Emails Agreement Julia Butler take over as Case Manager. Emails to Rebekah Phelps-Davis (Regarding Case Manager Delays)
- Exhibit J: YWCA Notes and Therapist Recommendations (Including Progress Reports per August 2022 Transcript)
- Exhibit K: AppClose & email Records of Withholding (May 16–31, 2024)
- Exhibit L: Julia Butler Meeting Communications (July and August 2024)
- Exhibit M: February 2024 Hearing Order (Received May 7, 2024)
- Exhibit N: August 9, 2023 Judges Minutes Hearing Notes (Context on Return Date Adjustment)
- Exhibit O: Confirmation from School Counselor Jennifer Porter, Petitioner not having access to new website- (May 13, 2024 calendar showing 2022–2023 still in effect posted online)
- Exhibit P: Final School Calendar Approval by Dan Kennedy (August 18, 2024)
- Exhibit Q: Draft Motion Dated December 19, 2024 (Shared with Julia Butler but Not Filed)
- Exhibit R: Voicemail and Transcribed Message from Sarah Snyder (2023, Admitting Error on Withholding)
- Exhibit S: December 28, 2023 Court Transcript (Assigning Orders to Sarah Snyder; GAL Refusal)
- Exhibit T: Communications with Julia on Resolving this Matter
- Exhibit U: Communication that I did try to resolve this Matter with Respondent.(April 15, 2025) Appclose
- Exhibit V: Connunication on returning children August 11, 2024 (August 1 email to Rebekah Phelps Davis)